- of Testator, said childs portion should go to their children; should any child of Testator die childless, said childs portion as named in said Will should go to the Corpus of Testators estate; that should the child or children of any child named in said Will die before attaining the lawful age of Maturinty the share or portion falling to said child shall also be distributed among the other of Testators children;
- 6. That in the Trust Clause in said Will for the benefit of said Katie R. Thomas it is also provided that should the said Katie A. Thomas as have a child to survive her and become of age then the said portion shall be paid over to said child or children at maturity by the trustee, but should there be no such child or children to inherit then and in that case (as in the others, the said portion of 1/8 shall be divided among the living Claimants under this my Will when said Trust shall cease and be void;
- 7. That said Will further provided that should Testator advance money to either of his children or pay as security for either of his sons in law money at any time or should his estate have to do so, such a mount in either case such a mount in either case shall be just charge on the portion or share of such daughter or child or wife of said such husband;
- 8. That at the time of Testators death his widow Elizabeth G.David and all the the distributees of the eight parties with which the proceed of har wand to be divided were still living; That sadd testators death his said Grandson S.Hamner Davis has died who lived in the State of Virginia, though who are his heirs at law are unknown to Complainants and whether they taey take the share devised to the first named S.Hamner Davis a GranDson of Testator as named in said Will or not your Complainants are unable to determine.
- 9. That since Testators death the 1/8 devided by said Will, Sub-paragraph D. in this Bill of Complaint, to Mollie C. Cunningham has dedescended by the provision of said last Will to children of said Mollie C, she having died leaving children Benjamin Cunningham about 21 years of age, Katheline 20 years of age and Bessie about 18 years of age, all of whom are residents of Maryland Except Benjamin A. who is a resident of Philadelphis; The husband of said Mattie C. Cunningham having died before her;
- 10. That the said Katie R. Thomas since the death of Testator has also died, leaving surviving her her husband F. Granville Thomas & two minured children (Quyre Thomas & Katie Thomas both of whom are young not older than 10 & 12 years; and as to what estate the same take under said Will and the trust therein created and as to who are the persons entitled or to be entitled in the event of the death of said minor children or either of them your Complainants are uncertain and ask the aid of your Honorable Court to settle & determine; and that said children are residents of Frederick County;
- 11. And your Complainants further shows; That said Mollie Louisa Cunningham & William A. Cunningham, in said paragraph C mentioned reside in the State of Maryland;-
- 12. That Elizabeth G.Johnson and Thomas Robert Johnson her husband as sub-paragraph E.mentioned reside in the State of Georgia;-
- 13. And that the said Namie Thomas and F. Granville Thomas her husband in sub-paragraph F. mentioned ned reside in Frederick County as does Fannie H. Davis in sub-paragraph G. mentioned;
- And your Complainants further shows; That the said Elizabeth G. Davis was appointed Executor aforesaid last Will and testament, that she is unable to ascertain whether the aid of your Honorable Court whether any & if yea what liabilities are due to said estate under the clause of the Will referred to in the 7 paragraph of the Bill, and that shad is unable to execute the duties improsed on her by the same without the aid of your Honorable Court;
- That the best interest of all parties in interest require that the laws herein mentioned by sold, that the same are being generally greatly reduced in value by remaining rented, that your Orator J. Lynn Davis is now engaged in business in Virginia & unable to give the same due attention and that your Oratrix Elizabeth G. Davis is in very Delicate health and unable longer to manage & conduct said place or the rental of it and is willing and disirous that the same be sold and the